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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hideki KOMATSUDA

Group Art Unit: 2851

Application No.: 10/693,520

Examiner: R. Fuller

Filed: October 27, 2003

Docket No.: 105193.06

For: ILLUMINATION SYSTEM AND EXPOSURE APPARATUS AND METHOD

SUPPLEMENTAL PRELIMINARY REMARKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Preliminary Amendment filed with this application on October 27, 2003, Applicant provides the following additional remarks. Claims 56-91 are pending. The following comments are directed to the April 25, 2003 Office Action in parent Application No. 10/060,340.

The April 25, 2003 Office Action requested that "a statement alleging that there is a basis upon which the Applicant is entitled to a judgment relative to the patentee" be provided in accordance with MPEP 2308. Applicant hereby states that Applicant believes that there is a basis upon which Applicant is entitled to a judgment relative to the patentee of U.S. Patent No. 6,195,201. In particular, the present application claims priority from two Japanese patent applications, both of which were filed in Japan prior to the January 27, 1999 U.S. filing date of U.S. Patent No. 6,195,201 (which does not claim priority from any earlier-filed domestic or foreign applications). In particular, Japanese Application No. 10-263673 was filed in Japan on September 17, 1998, and has a disclosure substantially similar to the disclosure of the present

U.S. application, and therefore supports claims 56-91, as does the present U.S. application. In addition, Japanese Application No. 10-047400, which was filed on February 27, 1998, also supports many of the claims of this application.

Applicant submits accurate English-language translations of Japanese Application No. 10-047400 and Japanese Application No. 10-263673 herewith. Accordingly, Applicant repeats the request to declare an interference with U.S. Patent No. 6,195,201.

The Office Action also rejected claims 56-91 under 35 U.S.C. §102(e) over U.S. Patent No. 6,195,201. Because Applicant's claims are entitled to at least the September 17, 1998 filing date of Japanese priority Application No. 10-263673 (and many of Applicant's claims are entitled to the even earlier February 27, 1998 filing date of Japanese priority Application No. 10-047400), U.S. Patent No. 6,195,201 does not qualify as a reference under 35 U.S.C. §102(e) against this application. Withdrawal of the rejection under 35 U.S.C. §102(e) is requested.

The April 25, 2003 Office Action also rejected claims 56-66, 72, 74, 80-82 and 88-90 under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed.

The "second faceted mirror having facets with a plurality of different tilts" of claim 56 is supported in the original application, for example, by page 27, lines 8-10 ("Alternatively, first and second reflecting groups may be constituted such that at least one of the first reflecting element group and second reflecting element group is capable of being inclined by a small amount.") and page 44, lines 4-5 ("This is achieved by bending the entirety of one of second reflecting element group 360b (220b) an optical integrator 220 (Fig. 15 and Fig. 23).").

The feature that the "plurality of concave mirrors have a tilt arrangement" of claim 66 is supported, for example, by the same disclosure referenced above with respect to claim 56.

The feature that "each of the plurality of concave mirrors of said second mirror array are tilted to overlap images at the illumination field" of claim 72 is supported, for example, by the specification at page 44, lines 4-15.

The feature that "the first plurality of arcuate facets are randomly tilted " and the feature that "each mirror in the mirror array of the first reflective fly's eye means is randomly tilted" of claims 74 and 80, respectively, is supported, for example, by page 25, lines 20-24 and page 26, lines 10-14 of the specification.

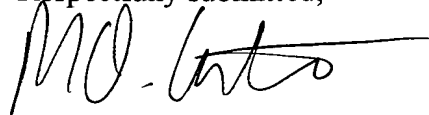
The feature "each of second plurality of mirrors having a predetermined displacement and angular tilt" of claim 81 is supported, for example, by page 27, lines 8-10 (predetermined tilt) and page 28, lines 6-8 (predetermined displacement).

The feature that "correlation between the number of facets of the first and second faceted mirrors is varied" and "correlating the number of facets of the first faceted mirror receiving predetermined energy to the second faceted mirror" of claims 88 and 90, respectively, and the feature that "the size, shape and location of the number of facets of the second mirror are varied" of claim 89 are supported, for example, in the Fig. 26 embodiment. In particular, when modified illumination is performed, by making an illumination region on a first faceted mirror into an annular shape or into a multipole shape, the number and location of the facets in the first faceted mirror that are illuminated changes. Additionally, along with the change in the number and location of the first faceted mirrors that are illuminated, the number and location of the second faceted mirrors that are illuminated changes.

Accordingly, Applicant respectfully submits that all pending claims are supported by the original specification (as well as by one or both of the Japanese priority applications). Withdrawal of the rejection under 35 U.S.C. §112, first paragraph is requested.

Examination and declaration of an interference in due course are earnestly solicited.

Respectfully submitted,



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MAC/ccs

Attachments:

Accurate Translation of Japanese Application No. 10-047400

Accurate Translation of Japanese Application No. 10-263673

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